

OHIO ENVIRONMENTAL PROTECTION AGENCY

GENERAL PERMIT AUTHORIZATION FOR
CONCENTRATED ANIMAL FEEDING OPERATIONS
UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et. seq., hereafter referred to as "the Act"), and the Ohio Water Pollution Control Act (Ohio Revised Code Section 6111), concentrated animal feeding operations, as defined in 40 CFR 122.23(b)(2), are authorized by the Ohio Environmental Protection Agency, hereafter referred to as "Ohio EPA", to discharge manure and storm water associated with industrial activity to the receiving waters identified in the applicant's file with Ohio EPA in accordance with the conditions specified in Parts I through IX of this permit.

In accordance with the Antidegradation rule, Ohio Administrative Code Rule 3745-1-05, the Director of Ohio EPA has determined that a lowering of water quality in the receiving waters identified in the applicant's NOI is necessary. Provision (D)(1)(i) was applied to this application. This provision excludes the need for the submittal and subsequent review of technical alternatives and social and economic issues related to the degradation. Other rule provisions, however, including public participation and appropriate intergovernmental coordination were required and considered prior to reaching this decision.

Permit coverage is conditioned upon payment of applicable fees, submittal of a complete Notice of Intent, and written approval of coverage from the Director of Ohio EPA in accordance with Ohio Administrative Code Rule 3745-38-06.

This permit and the authorization to discharge shall expire at midnight on the expiration date shown above. In order to receive authorization to discharge beyond the above date of expiration, the permittee shall submit such information and forms as are required by the Ohio EPA.

Original Permit Signed by Director

Joseph P. Koncelik
Director

Part VI Cont.

B. LAND APPLICATION RESTRICTIONS (Effective beginning on the date that coverage under this permit is granted.)

1. Land application of manure shall be conducted in accordance with the following:

Manure Application Distance Restrictions and, Where Appropriate, Rate Restrictions For the Following Items	
Streams, Lakes, Ponds, Watercourses, Other Surface Waters, Waterways, Open Tile Line Intake Structures, or Other Conduits to Surface Waters	Manure shall not be applied closer than 100 feet, unless a 35-foot vegetated buffer has been established where manure application is prohibited. A mandatory 35-foot vegetated buffer must be established along fields with perennial streams regardless of setback requirement.
Public Drinking Water Surface Water Intakes	Land application shall not take place within the emergency management zone of a public water system using surface water. Otherwise, manure shall not be applied closer than 300 feet from the edge of the field.
Seasonal Salmonid and Cold Water Habitats	Manure shall not be applied closer than 100 feet, unless a 35-foot vegetated buffer has been established where manure application is prohibited.
Public Drinking Water Wells	Land application shall not take place within a highly susceptible drinking water source protection area (as defined by Ohio EPA) for a community public water system using ground water and not within the inner management zone for all other community public water system using ground water.
	Land application shall not take place within the inner management zone of a drinking water source protection area or within 300 feet of a water supply well serving a transient non-community or non-community, non-transient public water system using ground water, whichever distance is greater.
Private Drinking Water Wells	For injection application and surface application followed by incorporation within 24 hours, manure shall not be applied closer than 100 feet.
	For surface application not followed by incorporation within 24 hours, manure shall not be applied closer than 300 feet.
Class V Agricultural Drainage Wells, Agricultural Wellheads, or Sinkholes	For injection application and surface application followed by incorporation within 24 hours, manure shall not be applied closer than 100 feet.
	For surface application not followed by incorporation within 24 hours, manure shall not be applied closer than 300 feet.
Springs	Manure shall not be applied closer than 300 feet.



State of Ohio Environmental Protection Agency

7-2

STREET ADDRESS:

Lazarus Government Center
122 S. Front Street
Columbus, Ohio 43215

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MAILING ADDRESS:

P.O. Box 1049
Columbus, OH 43216-1049

June 14, 2006

CERTIFIED MAIL

(b)(6)

(b)(6) Dairy LLC

(b)(6)

Cygnets, Ohio 43413

Dear (b)(6)

Re: CAFO NPDES Permit, Manure Management Plan

Ohio EPA is currently reviewing your Concentrated Animal Feeding Operation (CAFO) National Pollutant Discharge Elimination System (NPDES) permit application. During this review, an item has arisen that should be brought to your attention. Ohio EPA plans to work through this item as we process your draft CAFO NPDES permit.

1. The federal CAFO regulations require new source CAFOs to have a Manure Management Plan that meets the requirements of the NPDES permit upon receiving coverage. Ohio EPA has reviewed your Manure Management Plan and determined that a few of the planned land application fields may not be acceptable due to the location in the Village of Cygnets's source water protection area. On page 33 of the draft permit, Part VII, B, 1 states that "land application shall not take place within a highly susceptible drinking water source protection area (as defined by Ohio EPA) for a community public water system using ground water and not within the inner management zone for all other community public water systems using ground water". Page 5 of the Subsurface and Siting Report included in your Permit to Install for Ohio Department of Agriculture states that the Village of Cygnets wells are classified as highly susceptible. Therefore, land application should not occur within the entire protection area. Within 20 days of the date of this letter, please notify this office if any land application fields are located in the protection area, identify those fields by field number, and provide an expected submittal date of a revised Manure Management Plan.

Should you have any questions and/or concerns, please contact me at 614-728-1357 or via email at mharris@epa.state.oh.us.

Bob Taft, Governor
Bruce Johnson, Lieutenant Governor
Joseph P. Konczak, Director

(b)(6) Dairy LLC
June 14, 2006
Page 2

Sincerely,

Melinda M. Harris

Melinda M. Harris
PTI, Compliance Assistance & CAFO Unit
Division of Surface Water

cc: David Gerdeman, North Point Engineering
(b)(6) Dairy Development LLC
Gary Zwolinski, ODA-LEPP



State of Ohio Environmental Protection Agency

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May 2, 2007

Stephanie Tudor
North Point Engineering
6657 Frank Ave., NW, Suite 200
North Canton, Ohio 44720

Re: (b)(6) Dairy LLC CAFO NPDES Permit Application

Dear Mrs. Tudor:

Ohio EPA received the revised land application map and Manure Management Plan on April 18, 2007 for the proposed (b)(6) Dairy LLC in Wood County. The submitted map includes several fields located in the Village of Cygnet drinking water source protection area. As noted in the previous comment letter dated June 14, 2006, land application of manure will not be permitted within the entire protection area since it is rated as highly susceptible. The entire area includes the one year and five year time of travel delineations.

It appears that the following fields (or portions thereof) are located within the Village's drinking water source protection area: part of 1, 4, part of 5, 10, part of 11, 14, part of 32, and part of 34.

Please review the locations of the land application fields and the source water protection area. If you disagree with our determination, please let me know as soon as possible. Otherwise, alternative fields must be found to receive the manure and an updated field location map and Manure Management Plan must be submitted. Along with the revised Manure Management Plan, please complete and include the enclosed plan signature page.

Should you have any questions and/or concerns, please contact me at 614-728-1357 or via email at mharris@epa.state.oh.us.

Sincerely,

Melinda M. Harris
Division of Surface Water

cc: (b)(6) Development LLC
Kevin Elder, ODA-LEPP
(b)(6) Dairy LLC

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korfuski, Director